

***REMARKS***

***I. Amendment to the Specification***

In accordance with 37 CFR §§1.121 and 1.125, the applicant submits that the substitute specification does not include new matter. With regard to particular amendments made to the specification, the amendments include the correction of a typographical errors and grammatical mistakes which do not add any new matter to the substitute specification. Additionally, a number of features recited in the originally filed claims did not have reference numbers in the originally filed drawings. However, each one of these features is particularly illustrated in the drawings and is disclosed by the originally filed specification, including its claims. Therefore, to ensure that the illustrated features are specifically identified by the specification, reference numbers have been assigned to these features and added to the specification and the corresponding drawings, and the substitute specification particularly identifies figures that are consistent with the claimed invention. Accordingly, applicant submits that the inclusion of these reference numbers and the identification of figures does not add new matter to the substitute specification.

The substitute specification also refers to patents on known packaging machines that had been referenced in the background section of the originally filed specification, particularly including two patents that were incorporated by reference into the specification, US Patent Nos. 5,477,660 (Smith) and 5,685,130 (Horsman). Applicant submits that the references to known packaging machines, particularly those that were incorporated by reference into the specification, does not add new matter to the substitute specification.

Finally, the substitute specification includes two paragraphs that the applicant submitted to the US/RO under Article 34 of the Patent Cooperation Treaty (PCT) simultaneously with the

filings of the Demand for Preliminary Examination under Chapter II of the PCT. In particular, the additional paragraphs on pages 15 & 16 above were submitted with the PCT Demand and are also included in the marked up version of substitute specification. As indicated with the filing of the PCT Demand, these paragraphs refer to the subject matter as recited in the originally filed claims. Accordingly, applicant submits that these paragraphs do not add new matter to the substitute specification.

## ***II. Amendment to the Drawings***

In the finalized drawing sheets submitted herewith, higher quality images have been used for the illustrations. Additionally, the reference numbers used in the substitute specification have been assigned to the corresponding features in each of the illustrations. Finally, Figure 10 has been identified as a prior art dispenser that can be used in the inventive system.

In accordance with 37 C.F.R. § 1.83(a), each one of the features recited in the claims must be shown in the drawings. A number of features in the claims did not have reference numbers in the originally filed drawings. However, each one of these features is particularly illustrated in the drawings and is disclosed by the specification. Therefore, to ensure that the illustrated features are particularly identified by the specification, reference numbers have been assigned to these features and added to the specification and the corresponding drawings.

It is believed that the drawings as formally filed with this amendment are in acceptable form because the drawings show every feature of the invention specified in the claims. The addition of the reference numbers to the figures and the specification is not new matter because the features are shown in the originally filed illustrations and are described in the specification.

Accordingly, Applicant respectfully submits that no new matter is being added to the specification.

***III. Amendment to the Claims***

Upon entry of the foregoing amendment, thirty-eight (38) claims are pending in the application. Of the pending claims, four (4) claims are independent. Some claims have been amended to broaden the scope of protection being sought therein due to the lack of prior art references that disclose or otherwise suggest the claimed invention, as evidenced by the International Search Report, and as submitted by the applicant in the Information Disclosure Statement.

Prompt and favorable consideration of this Amendment is respectfully requested.

Respectfully submitted,



By: Dennis J.M. Donahue, III, Reg. No. 43,591  
Husch & Eppenberger, LLC  
190 Carondelet Plaza  
St. Louis, MO 63105  
314-480-1642  
314-480-1505 FAX